



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 19 2005

Ed Nolan
Vice President Operations
Equitable Resources
225 North Shore Drive, 4th Floor
Pittsburgh, Pennsylvania 15212-5861

Re: CPF No. 1-2003-1003

Dear Mr. Nolan:

Enclosed is the Final Order issued by the Associate Administrator for Pipeline Safety in the above-referenced case. It makes findings of violation and assesses a civil penalty of \$5,000. It further finds that you have completed the actions specified in the Notice required to comply with the pipeline safety regulations. I acknowledge receipt of your wire transfer dated May 29, 2003, for \$5,000 as payment in full of the civil penalty assessed in this Final Order. This case is now closed. Your receipt of the Final Order constitutes service of that document under 49 C.F.R. § 190.5.

Sincerely,

James Reynolds
Pipeline Compliance Registry
Office of Pipeline Safety

Enclosure

cc: William Gute, Region Director
Eastern Region, OPS

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF PIPELINE SAFETY
WASHINGTON, DC 20590

In the Matter of)	
)	
Equitrans, L.P.,)	CPF No. 1-2003-1003
)	
Respondent.	}	

FINAL ORDER

On September 15 - 17, 2002, pursuant 49 U.S.C. § 60117, a representative of the Eastern Region, Office of Pipeline Safety (OPS) and a representative of the West Virginia Public Service Commission (PSC), as agent for the Office of Pipeline Safety(OPS) conducted an on-site pipeline safety inspection of Respondent's facilities and records of the Carnegie Interstate Pipeline Company (CIPCO) systems located in Pennsylvania and West Virginia. As a result of the inspection, the Director, Eastern Region, OPS, issued to Respondent, by letter dated May 1, 2003, a Notice of Probable Violation, Proposed Civil Penalty and Proposed Compliance Order. In accordance with 49 C.F.R. § 190.207, the Notice proposed a civil penalty of \$5,000 for a certain alleged violation of Part 192, and proposed specific actions that Respondent must take to correct the alleged violation.

Respondent responded to the Notice by letter dated May 28, 2003 (Response). Respondent did not contest the allegations of violation but provided information concerning the corrective actions it has taken. Respondent submitted a wire transfer in the amount of the proposed civil penalty (\$5,000), waiving further right to respond, and authorizing the entry of this Final Order.

FINDINGS OF VIOLATION

In its Response, Respondent did not contest the alleged violations in the Notice. Accordingly, I find that Respondent violated the following section of 49 C.F.R. Part 192, as more fully described in the Notice:

49 C.F.R. § 192.745 – failing to inspect each transmission line valve that might be required during any emergency, specifically blow-off valves, a 10-inch mainline valve, and emergency valves, at intervals not exceeding 15 months, but at least once each calendar year.

This finding of violation will be considered a prior offense in any subsequent enforcement action taken against Respondent.

COMPLIANCE ORDER

The Notice proposed a compliance order with respect to item 2 in the Notice. Under 49 U.S.C. § 60118(a), each person who engages in the transportation of gas or who owns or operates a pipeline facility is required to comply with the applicable safety standards established under chapter 601. The Regional Director has indicated that Respondent has taken the following actions specified in the proposed compliance order:


1. Conducted a review of its system to ensure that all emergency valves have been identified;
2. Submitted a report outlining the results; and
3. Inspected all emergency valves.

Accordingly, since compliance has been achieved with respect to this violation, the compliance terms are not included in this Order.

WARNING ITEMS

The Notice did not propose a civil penalty or corrective action for the Item 1, for Respondent failing to provide evidence that it conducted continuing educational programs to the public in the vicinity of the CIPCO pipeline facilities in Pennsylvania, but warned Respondent that it should take appropriate corrective action to correct this item. Respondent presented information in its response showing that it is addressing the cited items. Respondent is again warned that if OPS finds a violation for any of these items in a subsequent inspection, enforcement action will be taken.

Under 49 C.F.R. § 190.215, Respondent has a right to submit a Petition for Reconsideration of this Final Order. The petition must be received within 20 days of Respondent's receipt of this Final Order and must contain a brief statement of the issue(s). The terms of the order, including any required corrective action, remain in full effect unless the Associate Administrator, upon request, grants a stay. The terms and conditions of this Final Order are effective on receipt.


for Stacey L. Gerard
Associate Administrator
for Pipeline Safety

JUL 19 2005

Date Issued